

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JUAN CARLOS CRUZ, #40595-004,

Petitioner,

v.

SCOTT MIDDLEBROOKS,

Respondent.

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CASE NO. 2:05-cv-877-WKW
(WO)

ORDER

On December 13, 2006, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is hereby

ORDERED that the Recommendation (Doc. # 30) is ADOPTED.

It is further ORDERED that the instant 28 U.S.C. § 2241 petition for habeas relief is DISMISSED as moot since a more favorable decision on the merits would not entitle the petitioner to any additional relief.

An appropriate judgment shall be entered.

Done this the 7th day of February, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE